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10/685,750	10/15/2003	Mark Budzik	TRI4546P0170US	6164
32116	7590	05/24/2006	EXAMINER	
WOOD, PHILLIPS, KATZ, CLARK & MORTIMER			SPAHN, GAY	
500 W. MADISON STREET			ART UNIT	PAPER NUMBER
SUITE 3800				3673
CHICAGO, IL 60661				

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Please find below and/or attached an Office communication concerning this application or proceeding.

## SUPPLEMENTAL EXAMINER'S ACTION

### *Response to Argument*

Responsive to Appellant's Reply Brief on 21 April 2006, a Supplemental Examiner's Answer is set forth below:

On page 1 of his Reply Brief, Appellant states that “[a]ctually, it does not matter whether knurling a surface is regarded as roughening the surface, as knurling a surface impresses a pattern but does not remove material.” In evidence of this, the Appellant then cites two pages of material downloaded from the internet which purports to describe “How To Use A Knurling Tool” and states that “[a] knurling tool is used to press a pattern . . .”. Then, Appellant argues that “[t]here is no evidence in the record that, if a cellular polymer were used, knurling a surface would cause the knurled surface to be characterized by open cells of the cellular polymer.”

The examiner notes that Hoffman, Sr., at col. 2, lines 19-22, discloses that “the strip is **perforated and knurled** to increase the surface area and to facilitate the ability of construction adhesives and drywall compound to adhere to the surface of the strip.” (Emphasis added). Thus, it does not matter whether knurling would cause an opening of a surface to expose open cells because even if knurling does not open a surface to expose open cells, perforating the surface would open the surface to expose open cells.

Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of

time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below.



APPROVED BY  
**DONALD T. HAEDICKE**  
**DIRECTOR, TECHNOLOGY CENTER 3600**

Gay Ann Spahn, Patent Examiner  
May 9, 2006